

**REMARKS:**

Claims 1-24 are pending in the present application. Claims 5, 12, and 19 are amended to recite "Simple Network Management Protocol" rather than "System Network Message Protocol"; claim 11 is amended for grammatical purposes; and claims 22-24 are added to recite the feature of selecting, in response to a condition or an event, a list of users based on profile information in the profile table wherein the list of users is a subset of the plurality of users. Reconsideration of the claims is respectfully requested.

**I. 35 U.S.C. § 103, Alleged Obviousness of claims 1, 8, and 15**

The Office Action rejects claims 1, 8, and 15 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stupek, Jr. et al. (U.S. Patent No. 6,131,118). This rejection is respectfully traversed.

With regard to claims 1, 8 and 15, the Office Action states:

As to claims 1, 8, and 15, Stupek a flexible display of management data in programmable event driven processing system, the system comprises a server for detecting and receiving an event from network devices and transmits the event notification to the user based on the event defined in database, the system comprising

profiling in a profile table each one of said plurality of users (Stupek teaches, a network management server, which included a database that containing user preferences, enabled the user to specify specific event monitoring, Col. 5, lines 46-67, database and user preference is considered equivalent to profile table);

transmitting said alarm message to the list of users wherein said users have been selected from said profile table, said alarm message being displayed on a screen of a workstation associated with each selected user if said workstation is on (Stupek teaches, the management server enabled the user to select and view various information including the selected events, Col. 6, lines 7-15. Inherently, Stupek also teaches transmitting the alarm or event messages from the management server to user terminal).

Stupek does not explicitly disclose an administrator is associated with the server.

Official Notice is taken (see MPEP 2144.03) that administrator processed alarm was well known in the network management system.

Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to associated network administrator with Stupek network management server to process alarm of event notification event. Doing so, the management capabilities, flexibility would be enhanced, because the system can be intervened by a human,

which would allow the system to be configured to accommodate with most if not all situations.

Office Action dated September 17, 2003, pages 2-3.

Claim 1, which is representative of claims 8 and 15 with regard to similarly recited subject matter, reads as follows:

1. System for broadcasting alarm messages from a server to a list of users among a plurality of multi-platform users sharing the server in a data transmission network operating under Internet Protocol (IP) and using Java language, said system being characterized in that it comprises:
  - a profile table containing profiles of each one of said plurality of users; and
  - processing and transmitting means enabling an administrator associated with said server to transmit alarm messages to the list of users wherein said users have been selected from said profile table, said alarm messages being displayed on a screen of a workstation associated with each selected user if said workstation is running. (emphasis added)

Stupek, Jr. (Stupek from hereon) is directed to a network management system that facilitates and performs programmable event driven processing including event detection logic that receives and processes any of a plurality of event notifications transmitted via the network. The network management server and the managed devices can be accessed remotely from a client system via an intranet or the Internet using a web browser. The client, if authorized, can access and view the management information regarding the managed devices. The client sends an HTTP request to a network management server or a managed device for a web page which is then passed back to the client system. Once the client logs onto the webpage, management information can be monitored from the client device and the client can perform administrative duties. (Stupek, Column 1, lines 55-60 and 63-67 and Column 6, lines 15-30)

Thus, Stupek is concerned with performing network management functions, much like the Simple Network Management protocol (SNMP) and the Desktop Management Interface (DMI), across the Internet using a web browser. Although Stupek may allow for the client to define certain preferences and identify certain data to be monitored, there is nothing in Stupek that teaches or even suggests an administrator associated with a server sending alarm messages to a list of users, selected from a plurality of users within

a profile table as recited in claims 1, 8, and 15 of the present invention. The Office Action alleges this feature is taught in the following section of Stupek:

The management server 102 enables the user to select a managed element 104 and view detailed information about that device. The management server 102 also enables a user to create device groups for business process views by filtering for selected devices and for selected events of those devices. The management server 102 handles events, such as SNMP traps and HTTP alerts, logs the events, and allows a user to set event filters. (Column 6, lines 7-14)

This section merely describes the interaction between the user (administrator) and the management server. The user may view device information or set user specified monitoring preferences, enabled by the management server. Nowhere in this section or any other section of Stupek is it taught or suggested to transmit alarm messages to a list of users, selected from a plurality of users within a profile table as recited in claims 1, 8, and 15 of the present invention.

Furthermore, the Office Action states, "Inherently, Stupek also teaches transmitting an alarm or event message from the management server to user terminal". (Office Action, page 3) While a transfer of data in Stupek may occur from the management server to the user terminal, the data transfer is not in response to a list of users being selected from a plurality of users within a profile table as recited in claims 1, 8, and 15 of the present invention. Rather the information is transferred from the management server to the user terminal in response to a request for information made by the user.

In addition, Applicant agrees with the Office Action that Stupek does not teach or suggest that an administrator is associated with the server. However, the Office Action alleges this feature is old and well known. While an administrator being associated with a server may be old and well known, the present invention does not simply claim that an administrator is associated with the server. Rather the present invention recites having an administrator associated with the server transmit alarm messages to the list of users wherein the users have been selected from a profile table. Furthermore, this is not the problem that Stupek is concerned with and thus, Stupek does not even hint at an administrator associated with the server transmits alarm messages to the list of users

wherein the users have been selected from a profile table. Applicant respectfully requests that the Examiner cite a reference in support of the allegation that this feature is old and well known. While the general concept of an administrator-processed alarm may be old and well known, Applicant respectfully submits that an administrator transmitting alarm messages to the list of users selected based on user profiles as recited in claims 1, 8, and 15 of the present invention is not. Therefore, Applicant respectfully submits that Stupek does not teach or suggest the features of independent claims 1, 8, and 15.

Moreover, Stupek does not teach, suggest, or give any incentive to make the needed changes to result in the features of claims 1, 8, and 15 of the presently claimed invention. Absent the Examiner pointing out some teaching or incentive to implement Stupek to include alarm messages sent by an administrator to a list of users, selected from a plurality of users within a profile table, one of ordinary skill in the art would not be led to modify Stupek to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion, or incentive to modify Stupek in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicant's disclosure as a template to make the necessary changes to reach the claimed invention.

In view of the above, Applicant submits that Stupek does not teach or suggest each and every feature of independent claims 1, 8, and 15 as required under 35 U.S.C. § 103(a). At least by virtue of their dependency on claims 1, 8, and 15, Stupek does not teach or suggest each and every feature of dependent claims 2-7, 9-14, and 16-21. Accordingly, Applicant respectfully requests withdrawal of the rejection of claims 1-21 under 35 U.S.C. § 103(a).

**II. 35 U.S.C. § 103, Alleged Obviousness of claims 2-5, 7, 9-12, 14, 16-19, and 21**

The Office Action rejects claims 2-5, 7, 9-12, 14, 16-19, and 21 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stupek, Jr. et al. (U.S. Patent No. 6,131,118) and in further view of Event Notifier, a Pattern for Event Notification by Drala software published in Java Report, July 1998, Volume 3, Number 7 (Drala from hereon).

This rejection is respectfully traversed for at least the same reasons as noted above with respect to claims 1, 8, and 15 from which claims 2-5, 7, 9-12, 14, 16-19, and

21 depend. Specifically, Stupek does not teach or suggest an administrator associated with a server sending alarm messages to a list of users, selected from a plurality of users within a profile table. In addition, Drala does not provide for the deficiencies of Stupek.

Drala is directed towards a method for event notification in a network management system. Drala is concerned with the difficulty in adding managed objects to a network. In a simplistic approach, a managed object must send notification of problems to both a console and a paging system. In order to change the interface to the console or the paging system, or add an electronic mail system, every managed object must be modified. Thus, Drala teaches a method for minimizing the number of dependencies and interconnections between objects to prevent the system from becoming difficult to modify. Therefore, Drala is not concerned with directing messages to a set of users on a network. Drala merely teaches an event management scheme that simplifies modifying components within the network management system by making more independent the managed objects from each other and from the console and paging system. Thus, Drala also does not teach or suggest an administrator associated with a server sending alarm messages to a list of users, selected from a plurality of users within a profile table as recited in claims 1, 8, and 15 of the present invention. (Drala, Motivation section, pages 2-3)

In addition to the above, neither Stupek nor Drala, either alone or in combination teach or suggest all of the specific features recited in dependent claims 2-5, 7, 9-12, 14, 16-19, and 21. For example, with regard to claims 4, 11, and 18, neither Stupek nor Drala, alone or in combination teaches or suggests an alarm message is automatically sent at the occurrence of a condition or event. As noted above with regard to claims 1, 8, and 15, Stupek teaches a method for accessing information via the Internet by logging into the network management system and requesting information from the management system. Nowhere does Stupek even allude to a message being sent from a server automatically, in other words, without a request from the administrator. The user of the Stupek system is required to request the information that is to be viewed at the client. Further, with regard to the discussion above, Drala is not concerned at all with the transmission of alarm messages to a list of users. Rather, Drala is focused on a more amenable system for modifying and changing components.

Furthermore, Applicant agrees with the Office Action that neither Stupek nor Drala teaches or suggests the alarm messages are previously written by the administrator as also recited in claims 4, 11, and 18. Rather than actually finding this feature in any secondary reference, however, the Examiner merely alleges that this feature is old and well known. Applicant respectfully disagrees and requests that the Examiner cite a reference in support of the allegation that alarm messages, previously written by an administrator are automatically sent to a set of users based on profile information at the occurrence of a condition or an event. Furthermore, neither Stupek nor Drala is concerned with sending alarm messages to a list of users, selected from a plurality of users within a profile table, regardless of whether the messages were previously written. Thus, neither Stupek nor Drala even suggests alarm messages, previously written by the administrator are automatically sent at the occurrence of a condition or an event as recited in claims 4, 11, and 18 of the present invention.

Additionally, with regard to claim 5, 12, and 19, neither Stupek nor Drala, alone or in combination teaches or suggests that alarm messages are automatically sent when any specific resource monitored by an SNMP becomes unavailable. As with the discussion above, Stupek teaches a method for accessing information via the Internet by logging into the network management system and requesting information from the management system. Stupek does not teach or suggest anywhere that a message is sent from a server automatically. The user of the Stupek system is required to request the information that is to be viewed at the client. Further, with regard to the discussion above, Drala is not concerned at all with the transmission of alarm messages to a list of users. Rather, Drala is focused on a system that is more amenable to modification.

Furthermore, with regard to claims 3, 10, and 17, Applicant agrees with the Office Action that neither Stupek nor Drala teaches or suggests the alarm messages are written and manually sent by the administrator when necessary. The Office Action states that a user can compose a short message and manually send that message as in a conventional e-mail system. While this may be true, the present invention does not claim an e-mail system or the like. The present invention actually claims that alarm messages are written and manually sent by an administrator when necessary. In other words, an administrator sends an alarm message in response to a condition or an event that necessitates an alarm

message. Neither Stupek nor Drala even suggest such a feature. This is, in part, because neither Stupek nor Drala teach or suggest communication of any kind between the administrator and a list of users. Thus, unless the Examiner can cite a reference that teaches that alarm messages are written and manually sent by the administrator when necessary, Applicant is entitled to a grant of patent on claims 3, 10, and 17.

**III. 35 U.S.C. § 103, Alleged Obviousness of claims 6, 13, and 20**

The Office Action rejects claims 6, 13, and 20 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Stupek, Jr. et al. (U.S. Patent No. 6,131,118) and in further view of Event Notifier, a Pattern for Event Notification by Drala software published in Java Report, July 1998, Volume 3, Number 7 and still in further view of Cote et al. (U.S. Patent No. 6,021,262). This rejection is respectfully traversed for at least the same reasons as noted above with regard to claims 1, 8, and 15 from which claims 6, 13, and 20 depend.

As noted above with regard to claims 1, 8, and 15, neither Stupek nor Drala, either alone or in combination, teach or suggest an administrator associated with a server sending alarm messages to a list of users, selected from a plurality of users within a profile table. In addition, Cote does not provide for the deficiencies of the proposed Stupek-Drala combination. Cote is directed to a system for automatically monitoring the status of messaging software. If a deficiency, such as a software condition or a link condition, is detected in the messaging software, the administrator is notified regardless of whether the message system is non functional. At the point of notification, the deficiency can be resolved by, for example, restarting the server which controls the messaging service. (Cote, Column 1, line 66 – Column 2, line 57)

Thus, Cote is concerned with deficiencies in a messaging system. Cote does not address any issues to which either Stupek or Drala are directed. Thus, one of ordinary skill in the art, presented with only Stupek, Drala, and Cote, and without prior knowledge of the Applicant's claimed invention, would not have found it obvious to combine a network management system that facilitates and performs programmable event driven processing over the Internet as in Stupek, with a system directed toward minimizing

network modification complexity as in Drala, and further combining this concoction with Cote, which discloses a system for monitoring deficiencies of messaging software.

Furthermore, even if one of ordinary skill in the art were somehow motivated to combine these references, one would still not be motivated to modify the resulting combination in the specific manner to arrive at the features recited in claims 1, 8, and 15. Thus, the alleged combination can only be the result of impermissible hindsight reconstruction using Applicant's own disclosure as a guide. While Applicant understands that all examination entails some measure of hindsight, when the rejection is based completely on hindsight, as in the present case, to the exclusion of what can be gleaned from the references, then the rejection is improper and should be withdrawn.

#### **IV. New Claims 22-24**

New claims 22-24 are added to the application. These claims are patentable at least by virtue of their dependency on claims 1, 8, and 15. Further, these claims include additional features not shown or suggested by the cited references. More particularly, claims 22-24 recite the feature of selecting, in response to a condition or an event, a list of users based on profile information in the profile table wherein the list of users is a subset of the plurality of users. Support for the newly added features of claims 22-24 is found on at least pages 3-4 of the present specification. Thus, it is respectfully requested that these claims be allowed.

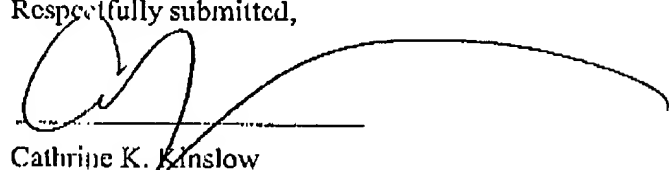


**V. Conclusion**

It is respectfully urged that the subject application is patentable over Stupek, Drala, and Cote and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,

  
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